

SPECIAL COUNCIL MEETING

AUGUST 14, 2013

The Special Council Meeting of the Council of the County of Kaua'i was called to order by the Council Chair Jay Furfaro at the Council Chambers, 4396 Rice Street, Room 201, Lihu'e, Kaua'i, on Wednesday, August 14, 2013 at 8:36 a.m., after which the following members answered the call of the roll:

Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable Nadine K. Nakamura
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfaro

Excused: Honorable Tim Bynum

APPROVAL OF AGENDA.

Mr. Rapozo moved for approval of the agenda as circulated, seconded by Ms. Nakamura, and unanimously carried.

PUBLIC COMMENT.

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

There being no one to give testimony at this time, the meeting proceeded as follows:

INTERVIEWS:

KAUA'I HISTORIC PRESERVATION REVIEW COMMISSION:

- **Anne K. Schneider (Planning)** – Term ending 12/31/2015

Ms. Schneider: Good morning, Councilmembers. I have lived on Kaua'i for twenty-five (25) years. I have a Bachelor of Architecture, I have worked for the Planning Department from 1989 – 1995, and I am a painter. I own a business in Hanalei.

Chair Furfaro: I like painting, but there are two (2) types of painting, there is the one when you paint your house and the strokes go up and down...

Ms. Schneider: I do that too.

Chair Furfaro: At the end of the day, you can actually see that you made some progress, and then there is the other kind which, my hero is Paul Gauguin. I would tell you that I really appreciate someone who has the patience to capture something...

Ms. Schneider: At one time, I had paintings hanging in this room.

Chair Furfaro: Oh, good. Well, Anne, is there anything else you would like to share with us before I open it up for questions?

Ms. Schneider: I have an interest in historic preservation. When I worked in the Planning Department, I did a workshop for the Planning Commissioner's, the walking tour of Waimea and I worked with the Historic Preservation people when we did the sewer project in Kapa'a.

Chair Furfaro: Members, questions of Anne?

Ms. Yukimura: Anne, you were in the Planning Department when I was Mayor?

Ms. Schneider: Yes, I was.

Ms. Yukimura: I have not seen you for a long time. How did the Mayor's Office find you?

Ms. Schneider: I have no idea.

Ms. Yukimura: Well, it is good to have you back in County affairs.

Ms. Schneider: I was very interested in Historic Preservation when I worked at the Planning Department. I worked hard to put the historic properties on the maps, which they did not exist at the time. People could come in and get a demolition permit and whoever signed off on it would not even know there was a historic property there.

Ms. Yukimura: Thank you for that work and your work on walking tours. It was of historic sites...

Ms. Schneider: Yes, it is very important to keep the vernacular architecture of Kaua'i.

Ms. Yukimura: Yes.

Ms. Schneider: It is a beautiful place.

Ms. Yukimura: Thank you very much for your willingness to serve. I believe this is a pretty hard position to fill because it requires a special background and it is wonderful that someone like you who has been here for so long and has such a commitment to historic preservation.

Ms. Schneider: Well, as a painter, you have the appreciation of things that go by and we do not want to lose these things on Kaua'i.

Ms. Yukimura: You certainly see a lot more than most people do. Thank you.

Ms. Nakamura: Thank you, Anne for agreeing to serve. This fills a specific niche on the Historic Review Commission and that is someone with a Planning background. There are not actually very many people on this island that fit that background and so I am really glad that you are able to serve.

Ms. Schneider: Thank you for inviting me. I appreciate it because, you know, you have a certain amount of knowledge, and it is a shame for it to go to waste.

Ms. Nakamura: What do you see this Commission doing? What do you think your contribution would be?

Ms. Schneider: I know that you get to review projects that come before the Planning Commission so that if somebody with Planning experience has... because most of the projects come through only as drawings rather than models. I think it is very hard for people who do not have architectural background to really assimilate to what they are looking at.

Ms. Nakamura: Do you see any areas where we could be doing more?

Ms. Schneider: There are always areas where you could do more. Just keeping the integral fabric of Kaua'i and not letting it become a strip mall.

Ms. Nakamura: Thank you very much.

Chair Furfaro: Anne, I want to tell you how pleased I am for your coming forward to...

Ms. Schneider: Oh, thank you for inviting me.

Chair Furfaro: I do a historic tour of this building. I have taken a real passion to our hundred year old building.

Ms. Schneider: Did a wonderful job here in the restoration.

Chair Furfaro: Even last week we had a shade or two difference in the window trim of the building, so, we repainted all the window trims - a lot of detail. This building is now a hundred years old and yet it is the oldest building operational from which it was for its original intent. It is just a real delight studying the real detail of the building and so forth and the community has come to really appreciate this building so much that we do tours one (1) Friday a

month. It is just great to capture all that history in the architecture, design, and the intent of doing business in this building. Someone with your background will just be an absolute great addition and I just want to thank you for stepping forward. I certainly will be voting for you later today.

Ms. Schneider:

Thank you.

Chair Furfaro: Okay, if there are no more questions, I want to thank you again. Okay, our second interview this morning, please.

CIVIL SERVICE COMMISSION:

- **Richard J. Jose** – Term ending 12/31/2014

Mr. Jose: Good morning, Council. I reside in West Kaua'i, but grew up in Puhi. I am married and have two (2) beautiful kids. I have been involved in a lot of youth sports – Pop Warner, West Kaua'i baseball all the way from Lihu'e and I am coaching all these Westside kids. Presently, I am a business representative for the International Brotherhood of Electrical Worker (IBEW). I got thirty-two (32) years in our business. I have been the business representative for four (4) years. So, twenty-eight (28) years in the field managing work and resolving differences in work. I have also been a steward at the companies. I have worked all over the State – every major island. My background is electrical work. I am an electrician and I will always call myself an electrician. That is about it.

Chair Furfaro:

Questions, members?

Ms. Yukimura: Richard, thank you for your willingness to serve in this position. You said that you had two (2) beautiful children – I know that you know that you have a beautiful wife too...

Mr. Jose:

Am I being filmed on this?

Ms. Yukimura: You said twenty-eight (28) years of experience, so you have a great deal of understanding of the workers' point of view and this Civil Service Commission is involved in those issues of personnel and Human Resources. It seems like you would bring an important prospective to the Commission. Have you been in a Supervisory position?

Mr. Jose:

Yes.

Ms. Yukimura: Even in your present position you do manage things as well?

Mr. Jose:

Yes.

Ms. Yukimura: So you also have a management prospective, would you say?

Mr. Jose: Yes, I do.

Ms. Yukimura: Okay. You may be aware of the County's Personnel Department is going through a major transformation, are you aware of that?

Mr. Jose: Yes, I kind of understand because I was approached and was filled in just a little on it.

Ms. Yukimura: Right. Well, you will learn a lot in the job, sort to speak. But we are moving from...sort of an old fashion Personnel Department prospective to a Human Resources Department. It is very critical for our County, because it has been...in its old style kind of an obstacle to our Departments in getting good personnel services. We have also had a lack of professionalism in this area that has actually been part of the reason for lawsuits, settlements, and all sorts of things. My question is, are you ready and willing to be involved in this, very sensitive time but it is going to take a lot of honest attention and decision-making?

Mr. Jose: To answer the question and yes, I do have a beautiful wife and her name is Brenda, in fact she wanted to come today and watch me speak in front of you and I said, "No, I think you should stay home because you will make me more nervous." I understand what you are saying and it is even more important for me to be involved in the community and the direction of this County. Like I told you before I am involved with many kinds of community services and with my busy schedule, I can put attention to this very important and detailed Commission. I would like to have the opportunity to learn and see what it is all about. I kind of looked over the ethics portion about it and kind of know the... just in little detail of what is happening with it right now. I put my full foot forward to helping this Commission.

Ms. Yukimura: Thank you. That is really good to hear. The main thing is a willingness to learn and a willingness to commit the time that is needed. I hear that in your answer very clearly. I really appreciate your willingness to do this. Thank you.

Mr. Jose: Thank you.

Mr. Kagawa: Thank you, Richard for willing to serve on this very important Commission. I had the pleasure of meeting with you in my Office a couple times. From what I gathered from you, is how serious you take your

Union employees being professional. You even told me about how you trained them there at that facility and to make sure that they follow safety guidelines and all of that. To expand on Councilmember Yukimura's point, we are flooded with personnel type lawsuits where it can be avoided if we follow professional standards of how to do things. For example, opening a manhole cover – they teach them the proper way to use that special tool, and then we find later that somebody gets hurt because they decided to use a pick instead. This goes beyond that...instead of them using a ladder, they use a five (5) gallon bucket and fall down. I just hope that you can get in there and when these things happen, maybe help the Personnel Department to come up with some corrective action so that we do not have these repeat mistakes. I really hope that you can help in those areas because not only does it hurt our... if we lose that Parks Caretaker, that park goes down because there is nobody to replace or to temporarily cover. The taxpayers pay that big medical expense. Sometimes they even ended up suing us even though they were wrong and it is just a circle that I think sometimes our County does not react in enough time and I am hoping that you would be willing to help us in that area.

Mr. Jose: Yes, I will help. As far as my Union experience, we have a lot of safety aspects to our work. We train them from Occupational Safety and Health Administration (OSHA) to National Fire Protection Association (NFPA) – every type of training to do our type of work. Safety is number one for us guys. I can hope and bring that experience as well to the Commission, but also on the management side, how to manage some of that work and make sure they try to follow the rules. Even for my guys, I have to be on them all the time about safety. We have CPR, we have every class that you can think of in my facility in Puhi now and it is a great asset for us. Hopefully, I am answering what you want, but as far as helping the Commission look for problems and help solving the problems, I will give my best ability.

Mr. Kagawa: Thank you. I think in that way from what I am seeing happening in my first months on the Council, you are like the perfect fit. The shoe that we needed. I hope that we can work together and try to make the County run more efficient. Thank you.

Mr. Jose: You are welcome.

Ms. Nakamura: Thank you for considering being on this Commission. I just wanted to clarify that there is one (1) position filled for the Labor position on this Commission, which is the only requirement that I see. I just wanted to clarify that that is the position that you are filling? I see some nods back there.

Mr. Jose: Yes.

Ms. Nakamura: One of the most, I think, important things that this Commission is tasked with is the hiring and then the removal of the Director. My understanding is that they are going through a recruitment process as we speak?

Mr. Jose: Yes, I understand that they are going through recruitment.

Ms. Nakamura: In our budget process, in the past few budgets that I have gone through, one of the chief complaints that I have heard is the length of time that it takes to fill positions within this County. I just hope that is something that the Commission really takes a look at. Do you have any thoughts on that?

Mr. Jose: As far as I know the length of time... I need to be on the Commission to really grasp what it entails but to be fast and not be in a hurry to make that decision. I think the time is not going to be that valuable if we are not picking the right person, right?

Ms. Nakamura: That is right. I think that is the balance. Not rushing the process if you do not have good candidates. Did you get a copy of the Department's strategic plan?

Mr. Jose: No, I have not.

Ms. Nakamura: Okay. That is one thing that all candidates will get. It is copies of the Annual Report from whatever the previous year is and then the Strategic Plan because that came up during the budget process. My feeling is if you are evaluating the work of your Director, that you need to have that in front of you when you do that evaluation so you know whether they are achieving the goals that they told the Council and the public that they are going to fulfill in that year. I am hoping that kind of information will be given to candidates that come up here and that becomes your guide for looking at the direction the Department wants to move in and then how you evaluate that Director.

Mr. Jose: Again, the evaluation sheet, I have not seen it. I think it would be an asset for a Commissioner to see that and to see if we are moving in that direction that the Council and Commission needs to move forward, but until I get into that position, I would not know.

Ms. Nakamura: Sure. I think that the perspective that you bring and you're on-the-ground experience in training are going to be valuable, so I really want to thank you for agreeing to serve.

Mr. Jose:

Thank you.

Ms. Yukimura: I am glad the Vice Chair raised the issue of the selection of the Director of Personnel Services because that is probably the most critical decision you will make. If you find the right person, your job and our job will be much easier. If not, we are all going to have a harder time. I was really pleased with your answer that... I mean I think there was a mix of discussion about filling positions in the County, but filling that position and taking the time to make the right decision is going to be a very good thing to do. I just want to reinforce that you make a really careful decision in that area on behalf of all of us.

Mr. Jose: Yes, I believe this is going to be a more heavy decision when I get more information, and I understand that position needs to be filled.

Ms. Yukimura:

Yes.

Mr. Jose: But again, until I get more information, I can be more effective on it.

Ms. Yukimura: Yes, and do not hesitate to ask questions if you feel you do not have the information, because it is your right to ask questions as a member of the Commission.

Mr. Jose:

I will ask more questions.

Ms. Yukimura:

Thank you.

Chair Furfaro: Richard, I am delighted to have someone such as yourself with as much bargaining unit and laboring experience to serve. I do want to let you know that I am a regular visiting the Commission, so you might see me in the very near future. Two of the things that I still think we need to get onboard is the upward appraisal revisions of our Departments. I have spoken on that and I will continue to promote the value in that. Also, the fact that to keep us out of some trouble that Councilmember Kagawa had mentioned is that we need to really have a strong understanding of progressive discipline through all of the County and through the Departments. I think that is something that this Commission can help us with. These are interpersonal skills that deal with the fact that progressive discipline is about not only investing in our employees for their own safety and that of the County, but we are consistently missing the points that are being brought out about the way we do business and what a standard is in that particular work area, it also could bring a safety issue to the attention of the supervisors that we need to be consistent about. I will be voting for you today and I will certainly visit with you. I hope your appointment will be successful and I will see you at my next presentation. Thank you.

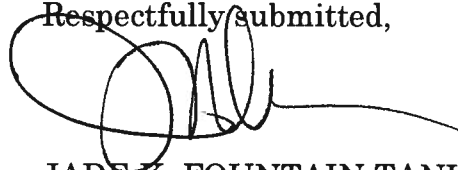
Mr. Jose:

Thank you, Councilmembers.

ADJOURNMENT.

There being no further business, the meeting was adjourned at 9:02 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jade K. Fountain-Tanigawa', with a long horizontal line extending to the right.

JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk

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